

Charter  
Board on Coastal Engineering Research

1. Committee's Official Designation: The committee shall be known as the Board on Coastal Engineering Research ("the Board").
2. Authority: The Secretary of Defense, pursuant to 33 U.S.C. § 426-2 and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established this non-discretionary Board.
3. Objectives and Scope of Activities: The Board shall provide independent advice and recommendations on the field of coastal engineering research, as set out in paragraph four below.
4. Description of Duties: The Board shall provide the Coastal and Hydraulics Laboratory, which includes the Coastal Engineering Research Center, through the Chief of Engineers/Commander ("the Chief of Engineers"), U.S. Army Corps of Engineers ("the Corps of Engineers"), independent advice and recommendations on coastal engineering research priorities and additional functions as assigned by the Chief of Engineers.
5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of the Army, through the Chief of Engineers/Commander, Corps of Engineers. The Chief of Engineers, Corps of Engineers, may act upon the Board's advice and recommendations.
6. Support: The Department of Defense (DoD), through the Secretary of the Army, the Assistant Secretary of the Army (Civil Works), and the Corps of Engineers, provides the necessary support for the Board and ensures compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("the Sunshine Act"), governing Federal statutes and regulations, and DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$379,122. The estimated annual personnel cost to the DoD is 2.20 full-time equivalents.
8. Designated Federal Officer: The Board's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD officer or employee, designated in accordance with DoD policies and procedures.

The Board's DFO is required to attend all meetings of the Board and any subcommittees for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly designated to the Board according to DoD policies and procedures, will attend the entire duration of all meetings of the Board or its subcommittees.

The DFO, or the Alternate DFO, shall call all of the Board and its subcommittees meetings; prepare and approve all meeting agendas; and adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Board will meet at the call of the Board's DFO, in consultation with the Board's President. The estimated number of meetings of the Board is two per year.

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10. Duration: The need for this advisory function is on a continuing basis; however, it is subject to renewal every two years.
11. Termination: The Board shall terminate upon rescission of 33 U.S.C. § 426-2.
12. Membership and Designation: The Board, pursuant to 33 U.S.C. § 426-2, shall be composed of seven members. The DoD, pursuant to the authorizing legislation, shall appoint four officers of the Corps of Engineers to the Board as ex-officio appointments, with one position being occupied by the Deputy Commanding General for Civil and Emergency Operations, Corps of Engineers for no fixed term of service. The Chief of Engineers, in consultation with the Assistant Secretary of the Army (Civil Works), shall determine which three of the eight coastal division commanders shall be nominated as the other ex-officio members of the Board. The Chief of Engineers, in determining which of the coastal division commanders shall serve on the Board, shall consider the individual's tenure as a division commander and his or her expertise in the matters before the Board.

The remaining three Board members shall be civilian engineers recommended by the Chief of Engineers for their expertise in the field of beach erosion, shore protection, and coastal processes and infrastructure. The Deputy Commanding General for Civil and Emergency Operations, Corps of Engineers, shall serve as the President of the Board.

The appointment of the civilian Board members and the three coastal division commanders will be authorized by the Secretary of Defense or the Deputy Secretary of Defense and administratively certified by the Secretary of the Army, for a term of service of one-to-four years, according to DoD policies and procedures. However, no member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service, or serve on more than two DoD federal advisory committees at one time.

Board members who are not full-time or permanent part-time Federal officers or employees shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members, subject to annual renewal. Board members who are full-time or permanent part-time Federal officers or employees shall be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular government employee (RGE) members.

Each Board member is appointed to provide advice on behalf of the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

Pursuant to section 105 of Public Law 91-611, SGE members may be paid at a rate not to exceed the daily equivalent of the rate for a GS-15, step 10, for each day of attendance at Board meetings, not to exceed 30 days per year, in addition to travel and other necessary expenses connected with their official duties on the Board, in accordance with the provisions of 5 U.S.C. §§ 5703(b), (d), and 5707. RGE members may be reimbursed for official Board-related travel and per diem.

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13. Subcommittees: The DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Army, as the DoD Sponsor.

Such subcommittees shall not work independently of the Board and shall report all their recommendations and advice solely to the Board for full deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Board. No subcommittee or any of its members can provide updates or reports, verbally or in writing, directly to the DoD or to any Federal officer or employee. If a majority of Board members are appointed to a particular subcommittee, then that subcommittee may be required to operate pursuant to the same notice and openness requirements of the FACA which govern the Board's operations.

Subcommittee members will be appointed for a term of service of one-to-four years, subject to annual renewals, according to DoD policies and procedures; however, no member shall serve more than two consecutive terms of service on the subcommittee. Subcommittee members, if not full-time or permanent part-time Federal officers or employees, will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. §102-3.130(a) to serve as RGE members.

The Secretary of Defense authorizes the Secretary of the Army to appoint the Chair of any appropriately approved subcommittee from among the subcommittee membership previously approved according to DoD policies and procedures and, in doing so, will determine the term of service for the subcommittee's Chair, which will not exceed the member's approved term of service.

Each subcommittee member is appointed to provide advice on behalf of the Government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

Subcommittee members may be compensated, and shall be allowed travel expenses, in the same manner as the Board members.

All subcommittees operate under the provisions of the FACA, the Sunshine Act, governing Federal statutes and regulations, and DoD policies and procedures.

14. Recordkeeping: The records of the Board and its subcommittees shall be managed in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule, and the appropriate DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: March 1, 2017